

SENATE BILL 641
By Woodson

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 68, relative to indoor air quality and mold
in schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-203(a), is amended by
adding the following as new subdivision (16):

(16)

(A) Maintain its facilities, including, but not limited to, implementing the
preventative maintenance components of the environmental protection agency's
Indoor Air Quality Tools for Schools Program. The LEA shall report annually to
the commissioner on the action taken to implement the indoor air quality
program, which report the commissioner shall use to prepare an annual report to
be submitted to the select oversight committee on education;

(B) Conduct a uniform inspection and evaluation program of the indoor
environmental quality, such as the environmental protection agency's Indoor Air
Quality Tools for Schools Program, prior to January 1, 2007, and every three (3)
years thereafter, for every school building that is or has been constructed,
renovated or replaced. The inspection or evaluation program shall include, but
not be limited to, a review, inspection or evaluation of the following:

- (i) The heating, ventilation and air conditioning systems;
- (ii) Radon levels in the water and air;
- (iii) Potential for exposure to microbiological airborne particles,
including, but not limited to, fungi, mold and bacteria;

(iv) Chemical compounds of concern to indoor air quality, including, but not limited to, carbon monoxide, carbon dioxide, and volatile organic compounds;

(v) The degree of pest infestation, including, but not limited to, insects and rodents;

(vi) The degree of pesticide usage;

(vii) The presence of and the plans for removal of any hazardous substances that are contained on the list prepared pursuant to section 302 of the federal Emergency Planning and Community Right-to-Know Act, 42 U.S.C. 11002;

(viii) Ventilation systems;

(ix) Plumbing, including water distribution systems, drainage systems and fixtures;

(x) Moisture incursion;

(xi) The overall cleanliness of the facilities;

(xii) The building structural elements, including, but not limited to, roofing, basements or slabs; and

(xiii) The use of space, particularly areas that were designed to be unoccupied.

The inspection and evaluation shall be conducted by a licensed engineer, architect or certified industrial hygienist.

SECTION 2. This act shall take effect January 1, 2006, the public welfare requiring it.